APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/920,611	08/01/2001	Cary Lee Bates	ROC920010084US1	4026

			EXAMINER
7590	06/21/2005		TAYLOR, BARRY W

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ART UNIT	PAPER NUMBER
2643	

DATE MAILED: 06/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>08 April 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>8,11,12,31-34,38,39 and 42-46</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) <u>11,12,31-34,38,39 and 42-45</u> is/are allowed.

6)☒ Claim(s) <u>8 and 46</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>01 August 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

1.   Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cai et al

(6,246,757 hereinafter Cai) in view of Bayless et al (5,754,636 hereinafter Bayless).

Regarding claim 8. Cai teaches a method of processing a telephone call at a

communication processing system, wherein the telephone call is made from a

telecommunications device by a user using a telephone calling card (abstract),

comprising:

processing an identification number associated with the telephone calling card

(col. 2 lines 48-55, col. 3 lines 37-40, col. 3 line 67 – col. 4 line 3, see "PIN" column 4

lines 25-27);

receiving a command from the telecommunications device (see sample

abbreviated dialing codes listed in TABLE 1---col. 4 line 41 – col. 5 line 40 wherein user

enters abbreviated dialing code (i.e. command) to be used for abbreviated dialing);

in response to the command, configuring a calling card function (see col. 5 lines

38-40 wherein user first creates abbreviated dialing codes to be used with calling card.

For example, user enters abbreviated dial code "5#" (see TABLE 1 bottom of column 4)

for calling card account to be used to reach a spouse at work number (x-xxx-xxx-1234)

during the week (Mon.-Fri.) and user enters abbreviated dial code "5#" (see TABLE 1

bottom of column 4) for calling card account to be used to reach spouse at home (x-xxx-

xxx-4321) on the weekend).

storing the calling card function for use by the communication processing system

during a subsequent telephone call initiated by the user (col. 3 line 67 – col. 4 line 3,

see col. 5 lines 38-40 wherein abbreviated dialing codes are stored in SCP database in

advance (i.e. for subsequent usage)).

Cai does not teach searching by name. However, Cai discloses using different

numbers to be dialed having the same abbreviated dialing code. For example, TABLE

1 shows "5#" used to call spouse at work number during the week and "5#" for calling

spouse at home on weekend. Another example shown in TABLE 1 shows using "7#"

used to call y-yyy-yyy-2468 between the hours of 8 a.m. and 6 p.m. and "7#" used to

call another number y-yyy-yyy-8642 between the hours of 6 p.m. and 8 a.m. In other

words, dialing "5#" or "7#" requires the SCP to not only match the abbreviated dialing

code with a destination number but also requires the SCP to check current day and time

when selecting the destination number associated with the abbreviated dialing code.

Bayless teaches a computer telephone system having local database (see client

database item 22 figure 1) and server database (see server database 40 figure 1) used

for telephone directory features (col. 16 line 59 – col. 17 line 10). Bayless further

discloses using PIN numbers, credit card numbers and other dial strings to make

telephone credit card calls (col. 20 lines 25-38). Bayless discloses that server database

(item 40 figure 1) may also be connected to remote database server (see item 41 figure

3) providing additional database services from remote locations.

In other words, Bayless telephone directory features (i.e. speed dialing and name

look up) may be stored locally (i.e. at the client computer --- item 14 figure 1), as well

as, at service provider database (i.e. item 16 figure 1). The Examiner notes that Cai

uses Intelligent Network (Cai item 121 figure 1) to store abbreviated dialing and calling

card information, which is the same field of endeavor as Bayless using service provider

database (item 40 figure 1). Bayless discloses using name look up in conjunction with

speed dialing (col. 42 line 44 – col. 43 line 6). Bayless discloses that user may dial by

first name, their last name or even use a letter of first or last name if they cannot

remember the full name of a person whom they desire to speak with (col. 43 lines 7-67).

It would have been obvious for any one of ordinary skill in the art at the time of

invention to modify the database as taught by Cai to include directory name look up as

taught by Bayless for the benefit of allowing the user to speed dial by name which

makes the system more user friendly since it allows for lookup of multiple phone

numbers for a single user having only the users name as the starting basis.

2.   Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cai et al

(6,246,757 hereinafter Cai) in view of Liljestrand et al (2001/0038689).

Regarding claims 46. Cai teaches a method of processing a telephone call at a

communication processing system, wherein the telephone call is made from a

telecommunications device by a user using a telephone calling card (abstract),

comprising:

processing an identification number associated with the telephone calling card

(col. 2 lines 48-55, col. 3 lines 37-40, col. 3 line 67 – col. 4 line 3, see "PIN" column 4

lines 25-27);

receiving a command from the telecommunications device (see sample

abbreviated dialing codes listed in TABLE 1---col. 4 line 41 – col. 5 line 40 wherein user

enters abbreviated dialing code (i.e. command) to be used for abbreviated dialing);

in response to the command, configuring a calling card function (see col. 5 lines

38-40 wherein user first creates abbreviated dialing codes to be used with calling card.

For example, user enters abbreviated dial code "5#" (see TABLE 1 bottom of column 4)

for calling card account to be used to reach a spouse at work number (x-xxx-xxx-1234)

during the week (Mon.-Fri.) and user enters abbreviated dial code "5#" (see TABLE 1

bottom of column 4) for calling card account to be used to reach spouse at home (x-xxx-

xxx-4321) on the weekend).

storing the calling card function for use by the communication processing system

during a subsequent telephone call initiated by the user (col. 3 line 67 – col. 4 line 3,

see col. 5 lines 38-40 wherein abbreviated dialing codes are stored in SCP database in

advance (i.e. for subsequent usage)).

Cai does not teach redialing. However, Cai discloses using different numbers to

be dialed having the same abbreviated dialing code. For example, TABLE 1 shows "5#"

used to call spouse at work number during the week and "5#" for calling spouse at

home on weekend. Another example shown in TABLE 1 shows using "7#" used to call

y-yyy-yyy-2468 between the hours of 8 a.m. and 6 p.m. and "7#" used to call another

number y-yyy-yyy-8642 between the hours of 6 p.m. and 8 a.m. In other words, dialing

"5#" or "7#" requires the SCP to not only match the abbreviated dialing code with a

destination number but also requires the SCP to check current day and time when

selecting the destination number associated with the abbreviated dialing code.

Liljestrand allows subscribers the ability to speak telephone numbers that he/she

wishes to call from speed dial or redial list (paragraph 0103).

It would have been obvious for any one of ordinary skill in the art at the time of

invention to modify the database as taught by Cai to use voice commands as taught by

Liljestrand for the benefit of allowing the user to speed dial by speaking a name and

location which makes the system more user friendly since it allows for lookup of multiple

phone numbers for a single user by simply saying name (i.e. call Bob at work or call

Bob at home).

Allowable Subject Matter

3.   Claims 11-12, 31-34, 38-39, 42-45 are allowed.

Response to Arguments

4.   Applicant's arguments with respect to claims 8 and 46 have been considered but

are moot in view of the new ground(s) of rejection.

Conclusion

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

6.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

---Yoon (6,757,376) is considered pertinent for searching both a redial and speed

dial memory when making call (abstract).

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Barry W. Taylor, telephone number (571) 272-7509, who
is available Monday-Friday, 8am to 5pm.
If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Curtis Kuntz, can be reached at (571) 272-7499. The facsimile phone number
for this group is (703) 872-9306.
Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the Group 2600 receptionist whose telephone number is
(571) 272-2600, the 2600 Customer Service telephone number is (571) 272-2600.
Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR. Status
information for unpublished applications is available through Private PAIR only. For
more information about the PAIR system, see http://pair-direct.uspto.gov. Should you
have questions on access to the Private PAIR system, contact the Electronic Business
Center (EBC) at 866-217-9197 (toll-free).

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